

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ENTERED

March 15, 2017

David J. Bradley, Clerk

ANDRES RAMOS ORDONES, §
Petitioner, §
§
v. § Civil Action No. 1:17-cv-00035
§ (Criminal Action No. 1:15-cr-1065-1)
UNITED STATES OF AMERICA, §
Respondent. §

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

Before the Court is the "Magistrate Judge's Report and Recommendation" (Docket No. 5) in the above-captioned case. The Magistrate Judge's Report and Recommendation recommends dismissing Andres Ramos Ordones' "Motion under 28 USC 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Docket No. 1) without prejudice because his direct appeal is pending in the Fifth Circuit. Docket No. 5 at 2-6. No objections were filed. As of March 14, 2017, Ordones' direct appeal is still pending.

After a de novo review of the file, the "Magistrate Judge's Report and Recommendation" (Docket No. 5) is **ADOPTED**. A certificate of appealability shall not issue. The Clerk is **ORDERED** to close this case.

Signed on this 14th day of March, 2017.



Rolando Olvera
United States District Judge